



General Assembly

Amendment

January Session, 2019

LCO No. 8316



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Offered by:

REP. DEMICCO, 21st Dist.

REP. D'AGOSTINO, 91st Dist.

REP. LEMAR, 96th Dist.

To: House Bill No. 5308

File No. 50

Cal. No. 44

**"AN ACT CONCERNING VEGETATION MANAGEMENT ALONG
STATE HIGHWAYS BY THE DEPARTMENT OF
TRANSPORTATION."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) The Department of
4 Transportation shall develop guidelines governing the management of
5 vegetation and tree removal along state highways. Such guidelines
6 shall include provisions for, but shall not be limited to: (1) Safety of the
7 traveling public, (2) general roadside vegetation management activities
8 performed by the department, including, but not limited to, mowing,
9 herbicide application, grassing, replanting with native species
10 whenever practicable, limb management, tree removal and debris
11 removal, (3) beautification and enhancements, (4) visibility
12 enhancement, (5) work zone traffic control, and (6) worker safety. For
13 vegetation management and tree removal, such guidelines shall

14 require the department to consider the environmental impact of such
15 work, including, but not limited to: (A) Preventing invasive tree, brush
16 or plant species growth and impact; (B) storm water run-off; (C)
17 erosion; (D) replanting of vegetation species to expand and improve
18 pollinator corridor habitat; (E) reduced mowing; and (F) the effect on
19 scenic highways or other similarly designated roadways.

20 (b) Such guidelines concerning vegetation management shall be
21 reviewed and approved by a licensed arborist if the services of such a
22 licensed arborist are available from a licensed arborist who is
23 employed at either the Department of Energy and Environmental
24 Protection or the Department of Transportation.

25 (c) The guidelines developed pursuant to this section shall be: (1)
26 Posted on the Department of Transportation's Internet web site, (2)
27 updated, as necessary, to comply with provisions of federal and state
28 law concerning vegetation management on state highways, and (3)
29 reviewed by all maintenance and contractor personnel prior to the
30 commencement of any vegetation management activity.

31 (d) The provisions of this section shall not apply to the removal of
32 any trees or vegetation that constitute an immediate public hazard or
33 any Department of Transportation construction project that constitutes
34 such an immediate public hazard.

35 (e) A copy of the guidelines developed in accordance with this
36 section shall be provided by the Department of Transportation to the
37 joint standing committees of the General Assembly having cognizance
38 of matters relating to the environment and transportation.

39 Sec. 2. (NEW) (*Effective from passage*) Not later than August first of
40 each year, the Department of Transportation shall report the amount of
41 funds the department expended for vegetation management for the
42 last quarter of the fiscal year ending the previous June thirtieth and the
43 amount of funds said department allocated for the first half of the
44 forthcoming fiscal year to the joint standing committees of the General
45 Assembly having cognizance of matters relating to the environment,

46 finance and transportation."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section